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 Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)			
First Named Inventor:	Neil T. Dear	Atty. Docket No.:	ABB10010P0630
Serial No.:	10/009,571	Group Art Unit:	N/A
Filed:	June 7, 2000	Examiner:	Barbara A. Campbell
Title:	Novel Calpains and the Use Thereof		

Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

Note: A grantable petition requires the following items: (1) petition fee, (2) reply and/or issue fee, (3) terminal disclaimer with disclaimer fee (required for all utility and plant applications filed before June 8, 1995), and for all design applications, and (4) statement that the entire delay was unintentional.

1. Petition Fee:
 - ☐ Small Entity Fee: \$665.00 - Applicant claims small entity status (See 37 CFR 1.27.)
 - ☒ Other than Small Entity: \$1,330.00
2. Reply and/or fee:
 - A. The reply and/or fee to the above-noted Office action in the form of (Declaration and Power of Attorney):
 - ☐ has been filed previously on __.
 - ☒ is enclosed herewith.
 - B. The Issue Fee of \$__
 - ☐ has been paid previously paid on __
 - ☐ is enclosed herewith.
3. Terminal disclaimer with disclaimer fee:
 - ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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☐ A terminal disclaimer and disclaimer fee (37 CFR 1.20(d) of ☐ \$55.00 for a small entity, or ☐ \$110.00 for other than small entity, disclaiming a period equivalent to the period of abandonment is enclosed herewith.

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing date of a grantable petition under 37 C.F.R. 1.137(b) was unintentional. [Note: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D)).]

Respectfully submitted,

By Martin L. Katz
Martin L. Katz, Reg. No. 25,011

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
Citicorp Center, Suite 3800
500 West Madison Street
Chicago, Illinois 60661-2511
312/876-1800

Enclosures:

- ☒ Fee payment.
☒ Reply
☐ Terminal Disclaimer Form.
☐ Small Entity Status Form.
☒ Other: Check for \$1,330.00

CERTIFICATE OF MAILING

I hereby certify that this Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) is being deposited with the United States Postal Service with sufficient postage at First Class Mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on February 27, 2004.

Rebecca J. Willis
Rebecca J. Willis

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